

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

AUTO SERVICES COMPANY, INC.,)	
)	
Plaintiff,)	8:05CV264
)	
vs.)	ORDER
)	
KPMG LLP, et al.,)	
)	
Defendants.)	

This matter is before the court on the plaintiff's Motion for Enlargement of Time to Serve Defendant Winterbrook Re Intermediaries, LLC (Filing No. 224). The plaintiff initiated this action on June 3, 2005. On March 9, 2006, the United States Bankruptcy Court for the District of Nebraska entered an order granting the plaintiff leave to file an amended complaint. Also on that date, the Bankruptcy Court entered a Report and Recommendation to withdraw the matter from such court and to permit the parties to proceed with litigation on the amended complaint. **See** Filing No. 148. On April 3, 2006, the United States District Court for the District of Nebraska Judge Joseph F. Bataillon adopted the Report and Recommendation in its entirety. **See** Filing No. 149. The Amended Complaint does not appear in the court file for the United States District Court for the District of Nebraska. Accordingly, the plaintiff shall make a copy of the Amended Complaint part of the district court's file by electronically filing the Amended Complaint.

The plaintiff states the Amended Complaint which, for the first time, included Winterbrook Re Intermediaries as a defendant, was filed on March 14, 2006. The plaintiff also states it attempted to serve Winterbrook Re Intermediaries without success and seeks an additional sixty days to effect service at a different address. Upon consideration,

IT IS ORDERED:

1. The plaintiff's Motion for Enlargement of Time to Serve Defendant Winterbrook Re Intermediaries, LLC (Filing No. 224) is granted.
2. The plaintiff shall have to **on or before August 14, 2006**, to serve Winterbrook Re Intermediaries, LLC with the Amended Complaint.

3. The plaintiff shall have to **on or before July 18, 2006**, to file a copy of the Amended Complaint with the United States District Court for the District of Nebraska. The court will deem the amended complaint filed on March 14, 2006, and no defendant need re-file a response to the amended complaint, if such response was filed in the United States District Court for the District of Nebraska.

DATED this 11th day of July, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge